

NAYS—6.

Calhoun,
Hall,Kilgore,
Pfeuffer,Pope,
Terrell.

ABSENT, NOT VOTING.

Jerdone,

Knittel.

Senator Harrison was excused from voting.

On motion of Senator Fowler,

Senate bill No. 9, "An act to amend an act entitled 'an act regulating the removal of the disabilities of minors, approved March 2, 1881,'" was taken up out of its regular order and read the second time, with unfavorable committee report.

Senator Fowler offered the following substitute, entitled "An act to amend an act regulating the removal of the disabilities of minors."

On motion of Senator Fowler,

The substitute was adopted.

By leave, Senator Houston of Wheeler sent up the following bill:

"An act to establish a uniform series of text books for the public schools of the State of Texas."

Referred to Committee on Education.

Senator Pfeuffer moved to adjourn till ten o'clock to-morrow morning.

Lost by the following vote:

YEAS—6.

Davis,
Farrar,Garrison,
Getzendaner,Pfeuffer,
Traylor.

NAYS—14.

Bell,
Calhoun,
Evans,
Fowler,
Glasscock,Hall,
Houston of Bexar,
Houston of Wheeler,
Pope,
Randolph,Shannon,
Stinson,
Terrell,
Woods.

ABSENT, NOT VOTING.

Harrison,
Jerdone,

Kilgore,

Knittel,

On motion of Senator Houston of Bexar,
The Senate adjourned till 10:05 o'clock to-morrow morning.

FIFTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, March 17, 1885. }

Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Randolph,

The reading of the journal of yesterday was dispensed with.

REPORTS OF STANDING COMMITTEES.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred House bill No. 501, entitled "An act to amend section 9 of 'an act to redistrict the State into judicial districts and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after

the first Monday in November, 1884,' passed at the regular session of the Eighteenth Legislature," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

FOWLER, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred House bill No. 525, entitled "An act to amend section 11 of an act entitled 'an act to redistrict the State into judicial districts and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

FOWLER, Chairman.

Bill read first time.

By Senator Evans:

COMMITTEE ROOM,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Public Lands, to whom was referred substitute House bills Nos. 8, 34 and 70, entitled "An act to provide for the leasing and sale of the lands heretofore or that may hereafter be surveyed and set apart for the benefit of the common schools, University, the Lunatic, Blind, Deaf and Dumb and Orphan Asylum funds," have had the same under consideration, and a majority of said committee instruct me to report it back to the Senate, with accompanying amendments, with the recommendation that it do pass as amended.

All of which is respectfully submitted.

EVANS, Acting Chairman.

AMENDMENTS.

1. Amend section 2 by striking out lines 25 to 28 inclusive
2. Amend section 4 by striking out the word "by" in line 10 and insert the word "to" instead.
3. Amend section 5 by striking out all of said section after the word "act," in line 11.
4. Amend section 10 by striking out the word "for," in line 16, and insert the word "to" instead, and strike out all from the words "any person," in line 27, down to the words "other other applicants," in line 42 inclusive.
5. Amend section 13 by striking out all from the word "it," in line 31, to end of section.
6. Amend section 14 by striking out the words "field notes," in line 10, and insert the word "description" instead.
7. Amend section 16 by striking out all after the word "land," in line 12, down to and including the word "note," in line 16, and insert the words, "after he has actually occupied and improved the same for a period of three years."
8. Amend section 19 by inserting after the word "vendee," in line 11, the words, "shall immediately settle upon the land and," and insert after the word "obligations" to word "conditions."
9. Amend section 22 by striking out the words "or sold," in line 2.
10. Strike all of section 25 and number following sections accordingly.
11. Amend section 26 by inserting after the word "clerks," where it first occurs in line 4, the words "not exceeding three," and after the word "grade," in line 6, insert "to be paid out of the funds to which said lands belong, and to be equitably apportioned between the same."
12. Strike out "engrossed rider."

Add to the bill another section, as follows:

Section —. In case land belonging to the school, university or asylum fund has upon it pine or cypress timber suitable for lumber or shingles, the timber upon said land may be sold at \$5.00 per acre, cash, and the purchaser shall have ten years from the date of his purchase in which to remove the timber from such land, but no one shall be permitted to purchase the timber on less than the entire survey or section owned by said

fund. In order to purchase timber under this act the applicant shall file with the surveyor of the county in which the land is situated, his written application, designating and describing the survey or surveys upon which the timber proposed to be purchased is situated, and it shall be the duty of the surveyor to immediately record such application and deliver the same to the applicant upon the payment of a fee of one dollar therefor. The applicant, within three months thereafter, shall forward such application and the purchase money for such timber, to the Commissioner of the General Land Office, whereupon it shall be the duty of the said commissioner to deposit said money in the State Treasury, and to issue to the applicant a certificate, under his hand and seal of office, showing that the applicant has purchased the timber on the survey or surveys mentioned in his application, and describing the same so they can be identified.

Strike out "ipso facto" wherever it is found in the bill. Add to the caption the words, "and for the sale of vacant tracts of land of less than 640 acres, in organized counties," and add another section to the bill as follows:

Sec. —. In organized counties vacant tracts of land of less than 640 acres, surrounded by valid surveys, may be sold at \$ per acre cash. In order to purchase such land the applicant shall file with the surveyor of the county in which the land is situated a written application, which shall be recorded by the surveyor, and within six weeks thereafter the said surveyor shall survey the land applied for and make out and deliver to the applicant the field notes, upon the payment of the usual fees. Within six months after filing the application the applicant shall forward to the Commissioner of the General Land Office the field notes and purchase money for said land. Whereupon, it shall be the duty of the Commissioner to deposit said money in the State Treasury and issue to the applicant a patent for said land, upon payment of the usual fees. A person owning the surrounding land, or living upon or occupying said vacant land, shall have a prior right to purchase said vacant land for a period of three months after this act takes effect.

Bill read first time.

On motion of Senator Stinson, Substitute House bill Nos. 8, 34 and 70 was made the special order for to-morrow after morning call, and from day to day till disposed of.

By Senator Randolph:

COMMITTEE ROOM,
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 570, entitled "An act to validate all acts done and all ordinances passed by the city council of Mexia prior to February 3, 1885," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

RANDOLPH, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred substitute House bill No. 188, entitled "An act to incorporate the Grand Royal Arch Chapter of Texas," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

RANDOLPH, Chairman

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 79, entitled "An act to amend chapter 9 and section 10 of an act of the regular session of the Seventeenth Legislature, entitled 'an act authorizing the commissioners' courts of the several counties of the State to issue bonds for the erection of a court house, and to levy a tax to pay the same, approved February 11, A. D. 1881,' so as to include the issue of jail bonds, denominated as chapter 17 of the acts of the special session of the Legislature held in 1884; and to vali-

date bonds issued under an act entitled 'an act to amend chapter 9, section 10 of an act of the regular session of the Seventeenth Legislature, entitled an act authorizing the county commissioners' court of the several counties of this State to issue bonds for the erection of a court house, and to levy a tax to pay the same, approved February 11, 1881,' so as to include the issue of jail bonds," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

RANDOLPH, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 398, entitled "An act to authorize cities and towns to levy and collect taxes for the erection, construction or purchase of public buildings, streets, sewers and other permanent improvements," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass, with the following amendment:

Strike out all that part of section 1 which requires the holding of an election to levy a tax.

All of which is respectfully submitted.

RANDOLPH, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 430, entitled "An act to restrict the employment of sailors and crews of foreign vessels from rolling cotton, handling cargo or laboring on the wharves or levees of ports in the State of Texas beyond the end of the ship's tackle," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

RANDOLPH, Chairman.

Bill read first time.

Senator Getzendaner sent up the following minority report:

COMMITTEE ROOM,
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

The undersigned, a minority of your Committee on State Affairs, to whom was referred House bill No. 430, entitled "An act to restrict the employment of sailors and crews of foreign vessels from rolling cotton, handling cargo, or laboring on the wharves or levees of ports in the State of Texas, beyond the end of the ship's tackle," have had the same under consideration, and recommend that it do not pass, because

1. The bill proposes to make honest labor a crime.
2. The bill will, to a certain extent, prevent crews from loading and unloading their cargoes, though they may have shipped under such contract.
3. It strikes at one class of labor to favor another class, hence, it is class legislation.
4. It will make port charges that much heavier, and so far, be injurious to the shipping interests of the State.
5. If the captain has the right, by contract or otherwise, to order the crew to load and unload the vessels, they must either obey or disobey such orders. If they obey, they would commit an offense against our law; if they disobey, they would commit an offense against maritime law—an awkward position in which to place any one.

Respectfully submitted,

GETZENDANER,
KILGORE,
EVANS,

For minority.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body the following action by the House:

House bill No. 118: The House has concurred in Senate amendments.

House bill No. 126: The House has concurred in the first Senate amendment, and non-concurs in second amendment to same.

Senate concurrent resolution No. 5, fixing date of adjournment, amended and passed.

Substitute Senate bill No. 131, to amend article 3916 of the Revised Civil Statutes, passed.

Senate bill No. 210, relating to county boundaries, amended and passed.

Substitute House bill No. 238, in relation to public free schools, passed.

House bill No. 124, "An act to amend article 1512, chapter 1, title 31 of the Revised Civil Statutes of the State of Texas," passed.

House bill No. 87, "An act to amend article 4574, and to repeal article 4576 of the Revised Statutes of the State of Texas," passed.

A. D. SADLER,
Chief Clerk House of Representatives.

The following House bills just reported from the House were taken up and referred as follows:

Substitute House bill No. 238 to the Committee on Education.

House bill No. 124 to the Committee on State Affairs.

House bill No. 87 to the Committee on Stock and Stock Raising.

Senator Evans sent up the following communication from penitentiary officers:

AUSTIN, TEXAS, March 17, 1885.

Hon. J. W. Jones, chairman Penitentiary Committee:

We respectfully ask through you that the Penitentiary Committee recommend and urge the Legislature to make appropriations for the State penitentiaries for the ensuing two years, as follows:

1. The proceeds of all the convict labor.
2. In addition thereto, for the purpose of making up deficiency in actual monthly expenses, each year.. \$50,000
3. To purchase material to properly carry on the industries of the two penitentiaries, each year..... 50,000
4. To purchase machinery and necessary outfit to develop the iron industry at the Rusk Penitentiary, each year.... 50,000
5. To replenish prison libraries, each year..... 250

Total money appropriation over and above proceeds of labor for two years..... \$300,500

This may seem like a large sum to ask for, especially when we take into consideration the depleted condition of the State Treasury; but we have made low estimates, and believe that we have not asked for one dollar more than is necessary to operate successfully the two penitentiaries.

Our estimates are made on a basis of 2700 convicts, less than the number now on hand, but according to present ratio of increase, the number of convicts by the end of the year will reach 3000.

COST OF MAINTENANCE.

The monthly expense for the support and maintenance of the present number of convicts—which expense includes the salaries of all officers and guards, provisions, clothing, shoes, bedding, medical bills, discharge money, etc.—will approximate per month \$30,000.

The expense per annum will aggregate \$360,000.

RESOURCES.

Our present available cash resources will approximate monthly as follows, viz.:

- | | |
|---|----------|
| For hire of 950 convicts on five year contracts | \$14,000 |
| For hire of 175 convicts on railroad trains | 3,750 |
| Miscellaneous labor in and about prisons..... | 2,500 |

Total monthly receipts.....	\$20,250
Or, total annual certain receipts.....	\$243,000

It will be seen that our actual expenses will exceed our cash receipts \$7950 per month, or \$117,000 per year.

The estimate of \$3750 per month from railroads cannot certainly be depended upon, because these railroad forces are not contracted for any definite time, and are liable at any time to be turned back upon us, and thus become an expense instead of a profit. A little more than twelve months ago we had about 700 convicts on railroads, yielding a monthly revenue of at least \$15,000; now only 175, and a revenue of \$3750.

OTHER PROBABLE RESOURCES DURING THE YEAR.

1. The State has an interest in crops worked by about 650 convicts, and, with a fair crop year, we may from these crops expect a revenue of \$110,000, which will at least pay expenses. With a good crop, more may be expected, and in event of a failure in crops, much less.

2. From one contract with the K. & G. S. L. R. R. we will receive within the next six months about \$35,000, of which \$20,000 may be appropriated to maintenance of convicts, and the balance to pay for material, etc., used in construction of road. During next year we may expect from said road about \$30,000, the same being deferred payments.

3. From the contractors at the Huntsville penitentiary, if they keep present number of convicts, and make payments as they are now obligated, we may expect by end of the present year about \$19,000, but it is proper to state that one firm of these contractors are urgently asking to be temporarily relieved of two-thirds of the convicts they have hired, claiming that if such relief is not given they may be forced to surrender their contract.

4. From the industries carried on, or to be carried on at the two penitentiaries, we can only expect to receive a revenue in proportion to the amount of work done, which will depend largely on the amount of material used up. The more material furnished the more convicts can be profitably employed, and the more work done. We can certainly expect to get back the cost of material, and a fair valuation of the labor and work put upon it.

From the above statements it will be seen that the appropriations asked for in the second item will be necessary to meet the deficiency during the present year, between the monthly expenses and the monthly receipts, or at least until we can realize from the crops in which the State has an interest. And it may also be needed in case of a failure in crops.

The appropriations in the third item are needed to carry out, as far as possible, the law requiring convicts to be profitably employed within the walls. We have good prison shops and machinery, but these do not avail unless we have material to work up.

It should be borne in mind that we have several hundred men at the two penitentiaries, who must either be kept at great expense in idleness or provision made for their profitable employment. There is no chance to hire these men out at remunerative wages, and even if they could be so hired, or worked outside the walls, it should not be done, because of their long terms, or physical incapacity for outside labor. Our prison industries are yet in their infancy, and they cannot be developed without the necessary appropriations to start them.

We earnestly urge the appropriation asked for in the fourth item, of \$100,000 during the two years, to be used for purchase of machinery, and for developing the iron industry at the Rusk penitentiary. As stated in our report, the material for the production of pig iron is convenient. The penitentiary was located at Rusk in order to utilize the convicts at this industry. Much money has already been spent for buildings, machinery, etc., but not more than necessary. We believe that the amount now asked for will be sufficient to make the iron industry a success. This, too, is the opinion of practical iron men. It is too late to turn back, and it is sincerely hoped that the amount necessary will not be withheld.

The aggregate of the appropriations asked for may seem very large, but is small when compared with the expenses of penitentiary management in other States. The superintendent of the New York State prisons, with about 2800 convicts asks for \$1,200,000 per annum. We ask for about \$500,000, including proceeds of convict labor.

Very respectfully,

THOS. J. GOREE,
Superintendent Penitentiaries.
HAYWOOD BRAHAM,
Financial Agent Texas Penitentiaries.

Referred to Committee on Penitentiaries.

The Senate resumed consideration of Senate bill

No 9. "An act to amend an act entitled 'an act regulating the removal of the disabilities of minors,' approved March 2, 1881."

The bill was ordered engrossed.

Senator Davis called up House bill No. 126—the gambling bill—and moved that the Senate recede from its second amendment.

Adopted by the following vote:

YEAS—11.

Calhoun,	Garrison,	Shannon,
Davis,	Getzendaner,	Stinson,
Evans,	Harrison,	Terrell,
Farrar,	Kilgore,	

NAYS—10.

Bell,	Houston of Bexar,	Randolph,
Fowler,	Houston of Wheeler,	Traylor,
Glasscock,	Pope,	Woods.
Hall,		

ABSENT, NOT VOTING.

Jerdone,	Knittel,	Pfeuffer.
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On motion of Senator Traylor,

House bill No. 501, "An act to amend section 9 of an act entitled 'an act to redistrict the State into judicial districts,' etc., was taken up out of its regular order.

On motion of Senator Traylor,

The constitutional rule was suspended, and

The bill was placed on its second reading by the following vote:

YEAS—21.

Bell,	Getzendaner,	Pfeuffer,
Calhoun,	Glasscock,	Pope,
Davis,	Hall,	Shannon,
Evans,	Harrison,	Stinson,
Farrar,	Houston of Bexar,	Terrell,
Fowler,	Houston of Wheeler,	Traylor,
Garrison,	Kilgore,	Woods

NAYS—none.

ABSENT, NOT VOTING.

Jerdone,	Knittel,	Randolph.
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The bill was read second time, and passed to third reading.

On motion of Senator Farrar,

House bill No. 570. "An act to validate all acts done and all ordinances passed by the city council of Mexia, prior to February 3, 1885," was taken up out of its regular order.

On motion of Senator Farrar,

The constitutional rule was suspended and the bill was placed on its second reading by the following vote:

YEAS—22.

Bell,	Glasscock,	Pope,
Calhoun,	Hall,	Randolph,
Davis,	Harrison,	Shannon,
Evans,	Houston of Bexar,	Stinson,
Farrar,	Houston of Wheeler,	Terrell,
Fowler,	Kilgore,	Traylor,
Garrison,	Pfeuffer,	Woods.
Getzendaner,		

NAYS—none.

ABSENT, NOT VOTING.

Jerdone,	Knittel.
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The bill was read the second time and passed to third reading.

On motion of Senator Farrar,

The constitutional rule was suspended and the bill was placed on its third reading by the following vote:

YEAS—22.

Bell,	Glasscock,	Pope,
Calhoun,	Hall,	Randolph,
Davis,	Harrison,	Shannon,
Evans,	Houston of Bexar,	Stinson,
Farrar,	Houston of Wheeler,	Terrell,
Fowler,	Kilgore,	Traylor,
Garrison,	Pfeuffer,	Woods.
Getzendaner,		

NAYS—none.

ABSENT, NOT VOTING.

Jerdone,	Knittel.
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The bill was read third time and passed by the following vote:

YEAS—22.

Bell,	Glasscock,	Pope,
Calhoun,	Hall,	Randolph,
Davis,	Harrison,	Shannon,
Evans,	Houston of Bexar,	Stinson,
Farrar,	Houston of Wheeler,	Terrell,
Fowler,	Kilgore,	Traylor,
Garrison,	Pfeuffer,	Woods.
Getzendaner,		

NAYS—none.

ABSENT, NOT VOTING.

Jerdone,	Knittel.
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Senate bill No. 210, "An act to amend section 8 of 'an act establishing and prescribing the manner of ascertaining the boundaries of counties,' approved April 22, 1879," was laid before the Senate with House amendments.

Division of the amendments was called for.

Senator Woods moved to concur in the first House amendment.

Senator Houston of Wheeler moved the previous question on all the House amendments.

Previous question seconded and main question ordered.

The first House amendment was concurred in by the following vote:

YEAS—16.

Bell,	Getzendaner,	Randolph,
Davis,	Hall,	Shannon,
Evans,	Houston of Wheeler,	Stinson,
Farrar,	Pfeuffer,	Traylor,
Fowler,	Pope,	Woods.
Garrison,		

NAYS—5.

Calhoun,	Harrison,	Terrell.
Glasscock,	Houston of Bexar,	

ABSENT, NOT VOTING.

Jerdone,	Kilgore,	Knittel.
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On motion of Senator Wood,

The second House amendment was concurred in.

On motion of Senator Houston of Wheeler,

The third House amendment was concurred in.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to report to the Senate that the House has adopted the report of the conference committee on Senate bill No. 25.

A. D. SADLER,
Chief Clerk House of Representatives.

Senate concurrent resolution No. 5, regarding adjournment sine die, with House amendment, was laid before the Senate.

On motion of Senator Pope,

Action on the bill was postponed till Friday.

By leave Senator Stinson sent up a petition of citizens of Camp county, protesting against the unwarranted attacks against the county judge of Camp county, made by a member of the House, on the bill restoring the criminal jurisdiction of Camp county.

Referred to Judiciary Committee No. 1.

Senator Fowler sent up the following privileged report:

COMMITTEE ROOM,
AUSTIN, March 14, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 223, being "An act to provide for the publication and binding of one thousand copies of the Revised Statutes, and to make appropriation therefor," and find the same correctly enrolled, and have this day, at 11:45 o'clock a. m., presented the same to the Governor for his approval.

All of which is respectfully submitted.

FOWLER, Chairman.

Senator Harrison called up his motion to reconsider the vote by which the unfavorable committee report on Senate bill No. 163, the stenographer bill, was adopted.

The motion to reconsider was adopted by the following vote:

YEAS—12.

Bell,	Hall,	Pfeuffer,
Farrar,	Harrison,	Pope,
Fowler,	Houston of Bexar,	Randolph,
Glasscock,	Houston of Wheeler,	Terrell.

NAYS—9.

Calhoun,	Garrison,	Stinson,
Davis,	Getzendaner,	Traylor,
Evans,	Shannon,	Woods.

ABSENT, NOT VOTING.

Jerdone,	Kilgore,	Knittel.
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Senator Harrison offered a substitute for the bill, entitled "An act to provide for the appointment of official stenographers for the district courts of the State of Texas."

The substitute was adopted.

Senator Houston of Bexar offered the following amendment:

Add to section providing for payment: "And the salary of the stenographer shall be apportioned between the counties, and paid in proportion to the length of terms of court held in each."

Adopted.

Senator Hall offered the following amendment:

Amend section 1 by striking out the word "five" and insert the word "four."

Adopted by the following vote:

YEAS—11.

Bell,	Getzendaner,	Pope.
Calhoun,	Hall,	Terrell.
Farrar,	Houston of Bexar,	Traylor.
Fowler,	Pfeuffer,	

NAYS—10.

Davis,	Harrison,	Shannon,
Evans,	Houston of Wheeler,	Stinson,
Garrison,	Randolph,	Woods.
Glasscock,		

ABSENT, NOT VOTING.

Jerdone,	Kilgore,	Knittel.
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Senator Shannon offered the following amendment:

Provided, that no stenographer shall be appointed in any county until it has first been ordered by the county commissioners' court of said county.

Adopted.

Senator Glasscock offered the following amendment:

Amend by adding after the words "not more than two hundred dollars," in the penalty clause, and insert, "shall be imprisoned in the county jail not less than thirty days nor more than six months."

Adopted, and

The bill was ordered engrossed by the following vote:

YEAS—14.

Bell,	Glasscock,	Pfeuffer,
Calhoun,	Hall,	Pope,
Farrar,	Harrison,	Shannon,
Fowler,	Houston of Bexar,	Terrell.
Getzendaner,	Houston of Wheeler,	

NAYS—7.

Davis,	Randolph,	Traylor,
Evans,	Stinson,	Woods.
Garrison,		

ABSENT, NOT VOTING.

Jerdone,	Kilgore,	Knittel.
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On motion of Senator Houston of Wheeler,

Senator Kilgore was excused for the day.

On motion of Senator Farrar.

Senator Jerdone was excused for the day.

On motion of Senator Glasscock,

Senator Knittel was excused for the day.

Substitute House bill No. 109. "An act to require railroad companies to place and keep that portion of their road-bed and right of way over or across which public county roads may run, in proper condition for the use of the traveling public," was laid before the Senate in its regular order,

Read the second time and passed to third reading.

On motion of Senator Shannon,

The constitutional rule was suspended and the bill was placed on its final passage by the following vote:

YEAS—21.

Bell,	Getzendaner,	Pope,
Calhoun,	Glasscock,	Randolph,
Davis,	Hall,	Shannon,
Evans,	Harrison,	Stinson,
Farrar,	Houston of Bexar,	Terrell,
Fowler,	Houston of Wheeler,	Traylor,
Garrison,	Pfeuffer,	Woods.

NAYS—none.

The bill was read third time and passed.

House bill No. 133, "An act to amend chapter 3, article 4405, relating to service on public roads," was laid before the Senate in its regular order, and read second time and passed to its third reading.

(Senator Shannon, President pro tem., in the chair.)

House bill No. 174, "An act for the relief of Virginia E. Littlepage, and to authorize the county court of Travis county to issue to her letters of administration on the estate of her father, Caleb V. Littlepage," was laid before the Senate in its regular order, read second time and passed to third reading.

House bill No. 155. "An act regulating the manner of taking testimony in civil cases," was laid before the Senate in its regular order, and read the second time.

On motion of Senator Fowler,

The bill was postponed indefinitely by the following vote:

YEAS—13.

Davis,	Hall,	Pope,
Farrar,	Houston of Bexar,	Randolph,
Fowler,	Houston of Wheeler,	Shannon,
Garrison,	Pfeuffer,	Traylor.
Glasscock,		

NAYS—8.

Bell,	Getzendaner,	Terrell,
Calhoun,	Harrison,	Woods.
Evans,	Stinson,	

On motion of Senator Harrison,

Senate bill No. 253, "An act to regulate railroads in the State of Texas and the charges for freight and passengers, and to prevent discrimination between any such railways in the rates of charges for freight, passengers and baggage, and in the time and manner of transporting the same, and to prevent any discrimination and delay by any such railway companies in respect to business of any kind with competing or connecting lines, and to provide a penalty therefor," was taken up and made the special order for Thursday after morning call, and from day to day till disposed of.

On motion of Senator Glasscock,

Senate bill No. 205, "An act defining who are entitled to be buried in the State cemetery, and defining the duties and powers of the superintendent of public grounds in relation thereto," was taken up and made the special order for Friday morning, after morning call, and from day to day, till disposed of.

On motion of Senator Pope.

The Senate adjourned until 10 o'clock to-morrow morning.

FIFTY-FIFTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, March 18, 1885. }

The Senate met pursuant to adjournment
Lieutenant-Governor Gibbs in the chair.

Roll called.

No quorum present.

The Sergeant-at-Arms was dispatched to bring in the absent Senators.

On motion of Senator Shannon,

The Senate took a recess of ten minutes.

Senate called to order.

Roll called.

No quorum present.

Senator Houston of Wheeler moved to adjourn till 3 o'clock.

Withdrawn.

The Sergeant-at-Arms was dispatched to bring in the absent Senators.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Houston of Wheeler,

The reading of the journal of yesterday was dispensed with.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 18, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to report to your honorable body the passage of the following bills:

Senate bill No. 8, "An act to amend chapter 2, article 566 of the Revised Civil Statutes."

House bill No. 391, "An act amendatory of and supplementary to the several acts incorporating the city of Dallas."

Substitute House bill No. 301, "An act to regulate the banking system of Texas."

House bill No. 560, "An act to place upon the market and regulate the sale of the lands heretofore or that may hereafter be surveyed and set apart for the benefit of the common schools, the Lunatic, Blind, Deaf and Dumb and Orphan asylum funds, which may have timber thereon suitable for lumber and shingles, and to prevent trespass upon the same, and prescribe a penalty therefor."

A. D. SADLER,

Chief Clerk House Representatives.

REPORTS OF STANDING COMMITTEES.

By Senator Bell:

COMMITTEE ROOM,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills, have carefully examined and compared Senate bill No. 267, being "An act to authorize the State Capitol Board to contract for the substitution of granite for limestone in the construction of the exterior walls of the superstructure of the new State Capitol, and for other changes therein, and to extend the time for completion thereof, and to conform all laws thereto, and to make an appropriation for the contingent expenses connected therewith, and to authorize the payment for such change to be made to the contractor in convict labor," and find the same correctly engrossed. All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared substitute for Senate bill No. 9, being "An act to amend an act entitled 'an act regulating the disabilities of minors,' approved March 2, 1881," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 241, being "An act making appropriations for deficiencies in the appropriations heretofore made for the payment of expenses in support of the government from March 1, 1883, to February 23, 1885, and for outstanding claims not registered, and other deficiencies," and find it correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, March 17, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 254, being "An act requiring the Attorney-General to institute legal proceedings against corporations doing business within this State in violation of sections 5 and 6, article 10 of the Constitution of Texas," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.